

Approved Minutes
Friend of the Court Bureau
Advisory Committee Annual Meeting
State Court Administrative Office - Lansing, MI
Thursday, April 22, 2004

MEMBERS PRESENT: Dr. Bill Brooks, Hon. Mabel Mayfield, Murray Davis, Patti Holden, Nadine Klein, Anthony Paruk, Fred Lebowitz, Gail Schneider-Negrinelli and Lynn Bullard

MEMBERS ABSENT: Nadine Klein

STAFF PRESENT: Kelly Beeman, Bill Bartels, Tim Cole and Darla Brandon

1. CALL TO ORDER

The meeting was called to order by Dr. Brooks at 9:46 a.m.

a. Appointment to Committee

Ms. Suzanne Hoseth, who is the current Ionia County Friend of the Court, has been appointed to fill the friend of the court vacancy. The Committee introduced themselves to Ms. Hoseth.

2. ROUTINE BUSINESS

a. Approval of the January 8, 2004 Minutes

A motion was made by Mr. Paruk and seconded by Ms. Negrinelli to approve the Minutes as submitted. **Motion passed unanimously.**

b. Public Comment

- John Palmisano, a non-custodial parent of Washtenaw County. Mr. Palmisano discussed the Washtenaw County's Citizen Advisory Committee's disbandment, as well as inappropriate procedures going on in the Washtenaw County Friend of the Court with respect to non-custodial parent's individual cases, (e.g. missing transcripts and audiotapes). He also questioned the accuracy of the annual Grievance Report provided by SCAO.
- Dan Diebolt, a non-custodial parent of Washtenaw County. He asked when the 2003 Grievance Report will be available. He also discussed the FOCB Customer Service Report and his dissatisfaction with its recommendations. He also discussed the

wrongdoing by the Washtenaw County Friend of the Court Office and Citizen Advisory Committee.

- Darren Binkley, a non-custodial parent of Jackson County, discussed the Jackson County Citizen Advisory Committee and the lack of grievances received by the Committee. He suggested more equal protection in the friend of the court system.
- Keith Hieber, of Lapeer county discussed the CSF Manual and Subcommittee. He discussed the suspension of the Subcommittee by the State Court Administrator, and the purpose behind it, and how the Subcommittee and public have not been allowed to participate in what is to be included in the 2004 CSF Manual. He also questioned why certain public attendees at the Advisory Committee have superior rights to comment than others.

c. Correspondence

i. Case-specific – The Advisory Committee received e-mails from seven individuals with case-specific issues. Ms. Beeman responded that neither the Advisory Committee, nor the Bureau have access to case records, and to voice their complaint to the proper FOC office. A copy will be provided to members upon request.

ii. Daniel Diebolt – Ms. Beeman provided a summary of e-mails from Mr. Diebolt to the Committee, which were case-specific, as well as the January 10, and April 16, 2004 correspondence that was relevant to the Committee, which was responded to by Ms. Beeman.

Mr. Bartels informed the Committee about the bylaws and the various roles of each Committee member. Legislation is pending that will remove the requirement for members of the Committee to also be a member of a CAC.

Grievance Report

Mr. Cole informed the Committee that the report along with the CAC report to the legislature will be posted within the next fourteen days.

Other Correspondence

iii. Mr. Davis provided correspondence to the Committee submitted to him by Mr. Milton. Mr. Milton discussed parenting time violations in Genesee county.

Mr. Davis questioned if the Committee could make recommendations to FOCs to raise awareness of the parenting time issues and concerns.

Mr. Lebowitz suggests looking into trends and concerns the Committee receives, and create a year end report.

Ms. Hoseth and Ms. Bullard will convey the issue of parenting time concerns at the next Friend of the Court Association meeting.

Judge Mayfield discussed having someone from the legislator's office to be present during the Committee meetings to discuss and listen to the Committee's concerns and the public comment.

d. Subcommittee Reports

Child Custody Evaluators - The Subcommittee reviewed what was going on in California and Indiana for model standards of practice with child custody evaluators. Consistently across the states are minimum standards for evaluators, and California uses additional qualifications for evaluators. An instrument needs to be developed to procure data across the state.

e. Bureau Update

i. FOC Mediation/Conciliation Work Group - Mr. Cole informed the Committee about FOC mediation (MCL 552.513) and court rule mediation (MCR 3.216). Three years ago, the SCAO put together a workgroup composed of judges, circuit court administrators, FOCs, private mediators, domestic violence representatives and SCAO analysts. Mr. Cole provided the Committee with copies of the statute, court rule and mediator qualifications.

The Joint Rules Committee has taken up the recommendations of the workgroup, which has formed a sub-workgroup which is reviewing the product. Mr. Cole will report back to the Committee in two months with the progress.

Mr. Cole states, mediation is one of the most important and critical services the court provides to people. It allows them to take ownership of their family and not be told what to do by someone (i.e. judges, all others) outside of the family unit.

ii. Formula Manual – Mr. Bartels informed the Committee of the substantive changes that are going to be incorporated into the 2004 Child Support Formula Manual. A letter was sent to the legislature at the beginning of January asking if they would like to take over the Manual.

Child Support Formula Subcommittee – This subcommittee is currently not meeting.

Federal Grant Application - Mr. Bartels provided the Committee with a handout discussing prisoner support adjustment. The SCAO has applied for a grant for \$100,000.00 to implement a proposed fifteen month (7/1/04 to 9/30/05) pilot project that uses

audio/videoconferencing to improve judicial processing child support cases and to overcome procedural barriers to support modification proceedings created by the need to be physically present in a courtroom. All incarcerated individuals are eligible for this program. The SCAO expects to hear a reply by June 3, 2004.

3. UNFINISHED BUSINESS

a. Friend of the Court Customer Service Report

The Committee received a copy of the report which was submitted by the Bureau to the Chief Justice.

4. NEW BUSINESS

- a. Committee Handouts – The Committee is always considerate of the public's requests to receive handouts available in hardcopy, but because there are limited copies, they are available on the SCAO website at <http://www.courts.mi.gov/scao/services/focb/focb.htm>.
- b. Year End Report – Mr. Lebowitz and Mr. Davis proposed that the Committee provide a year end report to SCAO detailing the issues and concerns brought to the Committee by litigants, and other members of the public.

5. CLOSING

- a. Members Closing Comments – None.
- b. Final Public Comment – None.
- c. Next Meeting – July 8, 2004
- d. Adjourn – The meeting was adjourned at 1:48 p.m.

Respectfully submitted,

Darla Brandon
Friend of the Court Bureau